

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Sections 90.20 and 90.175 of the)	WT Docket 02-285
Commission's Rules for Frequency Coordination)	RM-10077
of Public Safety Frequencies in the Private Land)	
Mobile Radio Below-470 MHz Band)	

ORDER EXTENDING TIME FOR FILING REPLY COMMENTS

Adopted: **December 17, 2002**

Released: **December 19, 2002**

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

1. Before us are two requests to extend the December 20, 2002 deadline for filing reply comments in the captioned proceeding. On December 9, 2002, the Association of Public-Safety Communications Officials-International, Inc. (APCO) requested an extension of the current date for the filing of reply comments by twenty days to January 10, 2003.¹ On December 10, 2002, the Forestry Conservation Communications Association (FCCA) requested an extension of the date by thirty days to January 20, 2003.² FCCA represents that APCO does not object to a thirty-day extension.³ For the reasons discussed herein, we grant FCCA's request.

2. In the *NPRM* in this proceeding, the Commission sought comment on whether to modify the existing frequency coordination procedures for the Public Safety Pool below 470 MHz by expanding competitive frequency coordination.⁴ The Commission received over thirty comments from frequency coordinators, government entities, and individuals. FCCA and APCO argue that the current reply period - fifteen days after the comments were due⁵ -- does not allow adequate time for careful review of initial comments and development of comprehensive responses that would assist the Commission in this proceeding.⁶ FCCA states that the public safety frequency coordinators will attempt to confer through the Public Safety Communications Council in an effort to narrow the issues and resolve differences among them, but that they cannot complete this process by December 20, 2002.⁷ FCCA and APCO both indicate that the other nvo public safety coordinators, the American Association of State Highway Transportation Officials and the International Association of Fire Chiefs, Inc./International Municipal Signal

¹ See APCO Request for Extension of Time to File Reply Comments (filed Dec. 9, 2002).

² See FCCA Request for Extension of Time to File Reply Comments (filed Dec. 10, 2002).

³ *Id.* at 1.

⁴ Amendment of Sections 90.20 and 90.175 of the Commission's Rules for Frequency Coordination of Public Safety Frequencies in the Private Land Mobile Radio Below-470 MHz Band, *Notice of Proposed Rulemaking*, WT Docket No. 02-285, RM-10077, 17 FCC Rcd 17534, 17535 ¶ 1 (2002).

⁵ See *id.* at 17549 ¶ 35.

⁶ APCO Request at 1; FCCA Request at 1.

⁷ See FCCA Request at 1.

Association, also support an extension of the reply period.⁸

3. It is the policy of the Commission that extensions of time are not routinely granted.⁹ However, we are encouraged by the prospect of a consensus position among the public safety coordinators on the major issues in this proceeding.¹⁰ We are mindful of the importance of encouraging and facilitating cooperation among Public Safety frequency coordinators, which is so important to the overall success of the Commission's licensing process," and we agree with FCCA and APCO that the complexity of issues present in this proceeding warrants an extension of the reply comment deadline. We therefore grant the FCCA request, and extend the reply comment period to January 21, 2003.¹²

4. ACCORDINGLY, IT IS ORDERED that pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.46 of the Commission's Rules, 47 C.F.R. § 1.46, the Request for Extension of Time filed by the Forestry Conservation Communications Association on December 10, 2002 IS GRANTED, and that the time for filing reply comments in the captioned proceeding IS EXTENDED until JANUARY 21, 2003.

5. IT IS FURTHER ORDERED that the Request for Extension of Time filed by the Association of Public-Safety Communications Officials-International, Inc. on December 9, 2002 IS GRANTED to the extent stated herein.

6. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331

FEDERAL COMMUNICATIONS COMMISSION

D'wana R. Terry
Chief, Public Safety and Private Wireless Division
Wireless Telecommunications Bureau

⁸ *Id.*; APCO Request at 2.

⁹ See 47 C.F.R. § 1.46(a)

¹⁰ Cf. Improving Public Safety Communications in the 800 MHz Band, *Order Extending Time for Filing of Reply Comments*, WT Docket No. 02-55, 17 FCC Rcd 12074, 12074 ¶ 2 (WTB PSPWD 2002).

¹¹ See *NPRM*, 17 FCC Rcd at 17537 ¶ 6, 17538-39 ¶ 12

¹² Given that the thirtieth day is Sunday, January 19, 2003, and that the next succeeding day, Monday, January 20, 2003 is a federal holiday, we extend the reply comment filing period to Tuesday, January 21, 2003. See 47 C.F.R. § 1.4(e)(1).